

CableFAX Daily™

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What the Industry Reads First

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Walden's Take: Aereo Decision Might Impact Retrans Reform

It's still uncertain whether the STELA reauthorization proposal that the House Communications subcmte wants to release in 1Q would include retrans overhaul provisions. Part of the uncertainty might be due to the pending court battles involving **Aereo** as *Greg Walden* (R-OH), head of the subcmte, suggested during a press briefing late Thurs. Federal judges in Boston and NY have permitted Aereo to operate during legal challenges, while broadcasters have asked the Supreme Court to bar the service. "The courts are now going to make that decision... The outcome of that decision will, perhaps, influence what happens going forward," Walden said. "Let's see what the court says... Is Aereo a new innovator in the marketplace or just another company skirting the law?" Walden brought up Aereo comments from **Fox** COO *Chase Carey* at the **NAB** convention, where he said programming has value and that content providers must be compensated. "It [Aereo] will be potentially a disruptor of the marketplace if it is held to be legal and that certainly will affect current law," Walden said. Without taking a stand on Sen *Jay Rockefeller* (D-WV)'s OTT video bill, which could potentially help Aereo (**Cfax**, 11/13), Walden called the legislation "a very bold initiative." And part of his committee's ongoing discussions will be about whether and how communications laws have kept up with the video market, which has changed dramatically since the laws were enacted and modified. Walden hasn't met FCC's new head *Tom Wheeler* or Republican commish *Michael O'Rielly*, both of whom had their 1st Open Commission Meeting Thurs. That will change as the subcmte works to schedule an oversight hearing with the 5 commissioners next month. Walden said he's encouraged by Wheeler's comments on the need to overhaul FCC process, which will be part of the discussion in Dec's hearing. He is still working with the FCC and his Democrat counterparts on how process reform can be done. Meanwhile, Walden seemed very supportive of the use of 5GHz spectrum, which was discussed during his subcmte's hearing this week. **Comcast** svp *Tom Nagel* told the panel that it's critical the FCC starts to release more 5 GHz spectrum for unlicensed use. "They [broadband services using 5GHz] can get up to 1 gigabit speed... This is a huge opportunity, though we still have some details to work on," such as potential interference with auto collision-avoidance systems and other intelligence transportation systems, Walden said. "I am a fan of the unlicensed spectrum and the innovative technology," he said, but added that the FCC shouldn't give away too much prime spectrum for unlicensed use.

Retrans: **Media General** said **DISH's** FCC complaint that it has acted in bad faith during retrans negotiations is just the latest example of its "long history of abusive litigation tactics." And it wants the FCC Enforcement Bureau to step in and consider sanctions. DISH asked the FCC to intervene last month, claiming the broadcaster violated the agency's good faith negotiation rules because it failed to respond for 11 days to the satcaster's pre-blackout offer (**Cfax**, 10/21). "It is a frivolous pleading based entirely on knowingly, willfully and maliciously false accusations that are easily disproven with reference to correspondence authored by DISH's own negotiators," Media General said in its FCC filing. Negotiations have continued throughout, with DISH's allegations "sanctionable misrepresentations of facts," the broadcaster said.

5 hours ago in Los Angeles, CA

So wait, "twerking" doesn't mean tweeting at work?

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CABLEFAX DAILY (ISSN 1069-6644) is published daily by Access Intelligence, LLC ● www.cablefax.com ● 301.354.2101 ● Editor-in-Chief: Amy Maclean, 301.354.1760, amaclean@accessintel.com ● Exec Editor: Michael Grebb, 323.380.6263, mgrebb@accessintel.com ● Editor: Joyce Wang, 301.354.1828, jwang@accessintel.com ● Community Editor: Kaylee Hultgren, 212.621.4200, khultgren@accessintel.com ● Advisor: Seth Arenstein ● Assoc Publisher: Amy Abbey, 301.354.1629, aabbey@accessintel.com ● Sales Mgr: Susan Kim, 301.354.2010, skim@accessintel.com ● Dir of Market Dev: Laurie Hofmann, 301.354.1796, lhofmann@accessintel.com ● Prod: Jo Fato, jfato@accessintel.com ● Diane Schwartz, SVP Media Comms Group ● Scott Gentry, Dir of Bus Dev, sgentry@accessintel.com ● Group Subs: Amy Russell, 301.354.1599, arussell@accessintel.com ● Sub Questions, Client Services: 301.354.2101, clientservices@accessintel.com
Access Intelligence, LLC, 4 Choke Cherry Road, 2nd Floor, Rockville, MD 20850

Earnings: WOW! saw a 16.7K total customer increase in 3Q and an increase in total RGUs of 21.9K YOY. It cited strong customer acquisition activity in the Q. Adjusted EBITDA rose 9.1% to \$9.4mln from pro forma 3Q12. In late Sept, Wow! closed a deal to acquire certain assets from **Bluemile** for \$15mln that will enhance its business services product.

At the Portals: It didn't take airplanes to defeat King Kong. Nor was it beauty. It was a swoop of a pen by the **FCC Media Bureau**, which denied a petition for relief by **King Kong Broadcasting** last week. The broadcaster alleged **Cox Las Vegas** violated the Communications Act by refusing to provide it a commercial leased access channel in Boulder City, NV. King Kong only wanted to lease access to Boulder's 3500 subs, which would be much cheaper than leasing access to the approx 320K served from Cox's Vegas headend. Cox balked, saying it would be costly to carve out the town. The FCC agreed. It said some instances of area-specific leased access might require such accommodation, but this isn't one of them.

Programming: The Simpsons are coming to cable for the 1st time in potentially the biggest off-network deal ever: **FX** scored the cable, VOD and non-linear rights to the longest-running comedy series from **20th Century Fox Television**. Terms weren't disclosed, but the net called the bidding (reportedly in the \$500mln-\$1bln range) "vigorous." Beginning in Aug, FXX will air all seasons of the series, excluding seasons airing in their 1st run on **Fox**. The deal also covers TVE rights, making all seasons of the series available through FXNow, **FX's** soon-to-be-launched TVE app. FXX and FXNow will get subsequent seasons as new seasons begin their 1st run on Fox. -- **21st Century Fox** signed on as a founding partner of the '14 Special Olympics USA Games (June 14-21). It will provide broad exposure for the Games across its TV portfolio, and feature a 1-hour recap special on **Fox Sports 1**. -- **Spike, Comedy Central, BET** and **MTV** will together stream a live, 3-hour celebration of video games on Dec 7, starting at 6pm ET. It's all part of Spike's **VGX**, an all-day gaming experience that is the next generation of its Video Game Awards franchise. VGX will stream across all 4 net's portals as well as on Xbox One and 360, Playstation 3, **Hulu, Yahoo** Screen and iOS and Android devices. Spike will air highlights on Dec 9.

Typhoon Relief: MSOs and telcos launched international calling and texting relief efforts to help subs connect with loved ones in the Philippines, following devastating Typhoon Haiyan. At **Time Warner Cable**, all calls placed by its Home Phone and Business service subs to Philippines are free through Nov 30. The MSO also is making the **Filipino Channel** available for free to digital TV subs through Nov 15. **AT&T** is waving charges up to 60 mins for direct dial calling to the Philippines for its wireline and U-verse voice subs through Nov 30. **Comcast** is providing free calls to the Philippines for its Xfinity Voice residential subs. It's also making its Filipino Channel available for free to Xfinity TV digital subs.

So Purrfect: Kudos to **Nat Geo Wild** evp, gm **Geoff Daniels**, who we hear may be getting a cat-eye makeover Wed in celebration of the net's 4th "Big Cat Week." Nat Geo is bringing in **PÜR Minerals** makeup artists to get employees "catwalk ready" with eye makeovers and free "Untamed Glamour" limited edition makeup kits. We expect photos, Geoff. Meow!

Honors: Time Warner Cable chmn/CEO **Glenn Britt** was honored with the Distinguished Leadership Award for transformation, ingenuity and excellence by the **NY Hall of Science** Thurs. Britt has been instrumental in the creation of the MSO's Connect a Million Minds STEM initiative. -- The **Cable TV Pioneers** Banquet will be held Apr 28 at the historic Millennium Biltmore Hotel, an early home to the Academy Awards Ceremony. Info is available at cabletvpioneers.org.

Business/Finance: Liberty Media completed its previously announced share repurchase agreement with **Sirius XM**, with Sirius buying back \$500mln of its common stock from Liberty.



Call for Entries

Entry Deadline:
December 6, 2013
Final Deadline:
December 13, 2013

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Questions: Mary-Lou French
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CableFAX Week in Review

Company	Ticker	11/15 Close	1-Week % Chg	YTD %Chg
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BROADCASTERS/DBS/MMDS

21ST CENTURY FOX:	FOXA	34.19	1.03%	0.00%
DIRECTV:	DTV	64.88	1.55%	29.35%
DISH:	DISH	50.94	5.58%	39.95%
DISNEY:	DIS	70.00	2.07%	40.59%
GE:	GE	27.20	0.55%	29.59%

MSOS

CABLEVISION:	CVC	14.93	(0.99%)	(0.07%)
CHARTER:	CHTR	128.69	0.49%	68.80%
COMCAST:	CMCSA	47.73	(0.93%)	27.76%
COMCAST SPCL:	CMCSK	46.66	(0.83%)	29.90%
GCI:	GNCMA	9.64	1.47%	0.52%
LIBERTY GLOBAL:	LBTYA	80.00	(0.56%)	27.06%
LIBERTY INT:	LINTA	28.32	3.24%	43.90%
SHAW COMM:	SJR	23.58	(0.25%)	2.61%
TIME WARNER CABLE:	TWC	120.88	(0.17%)	24.37%
WASH POST:	WPO	654.59	(1.24%)	79.24%

PROGRAMMING

AMC NETWORKS:	AMCX	65.23	(2.28%)	31.78%
CBS:	CBS	60.55	3.08%	59.13%
CROWN:	CRWN	3.12	(2.8%)	68.65%
DISCOVERY:	DISCA	85.43	0.08%	34.58%
GRUPO TELEVISIA:	TV	30.17	4.79%	13.51%
HSN:	HSNI	57.72	1.89%	4.79%
INTERACTIVE CORP:	IACI	57.69	4.91%	22.12%
LIONSGATE:	LGF	34.22	5.98%	108.66%
MADISON SQUARE GARDEN:	MSG	56.91	2.06%	28.32%
SCRIPPS INT:	SNI	75.46	(1.37%)	30.28%
STARZ:	STRZA	29.10	2.00%	0.00%
TIME WARNER:	TWX	67.64	(0.01%)	41.42%
VALUEVISION:	VVTV	5.23	(1.32%)	190.56%
VIACOM:	VIA	80.46	(2.21%)	48.26%
WWE:	WWE	13.32	2.94%	68.82%

TECHNOLOGY

ADVANTAGE:	AEY	2.66	0.00%	33.67%
ALCATEL LUCENT:	ALU	4.16	6.94%	199.28%
AMDOCS:	DOX	40.77	1.80%	19.95%
AMPHENOL:	APH	84.10	3.39%	29.98%
AOL:	AOL	46.13	8.75%	55.79%
APPLE:	AAPL	524.99	0.85%	(1.35%)
ARRIS GROUP:	ARRS	17.96	4.48%	20.21%
AVID TECH:	AVID	8.52	11.37%	12.40%
BLNDER TONGUE:	BDR	0.93	(0.01%)	(19.14%)
BROADCOM:	BRCM	27.05	2.08%	(18.55%)
CISCO:	CSCO	21.54	(8.4%)	9.59%
CONCURRENT:	CCUR	7.34	(1.08%)	27.87%
CONVERGYS:	CVG	20.20	1.51%	23.10%
CSG SYSTEMS:	CSGS	28.32	1.58%	55.78%
ECHOSTAR:	SATS	50.36	7.33%	47.17%
GOOGLE:	GOOG	1033.56	1.73%	46.11%
HARMONIC:	HLIT	7.44	1.64%	46.75%
INTEL:	INTC	24.52	1.78%	18.91%
JDSU:	JDSU	12.39	(0.52%)	(8.19%)
LEVEL 3:	LVT	30.30	0.63%	31.11%

Company	Ticker	11/15 Close	1-Week % Chg	YTD %Chg
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MICROSOFT:	MSFT	37.84	0.16%	41.67%
MOTOROLA MOBILITY:	MMI	13.15	(3.73%)	(66.11%)
NIELSEN:	NLSN	40.34	1.43%	31.87%
RENTRAK:	RENT	37.95	(6.3%)	94.72%
SEACHANGE:	SEAC	13.97	5.20%	44.47%
SONY:	SNE	18.50	10.51%	65.18%
SPRINT NEXTEL:	S	7.42	4.95%	30.86%
TIVO:	TIVO	13.21	(2.22%)	7.31%
UNIVERSAL ELEC:	UEIC	37.01	(0.38%)	91.27%
VONAGE:	VG	3.28	(5.48%)	38.40%
YAHOO:	YHOO	35.47	7.10%	78.24%

TELCOS

AT&T:	T	35.43	(2.24%)	5.10%
VERIZON:	VZ	50.31	0.22%	16.27%

MARKET INDICES

DOW:	DJI	15961.70	1.27%	21.81%
NASDAQ:	IXIC	3985.97	1.70%	32.01%
S&P 500:	GSPC	1798.18	1.56%	26.08%

WINNERS & LOSERS

THIS WEEK'S STOCK PRICE WINNERS

COMPANY	CLOSE	1-WK CH
1. AVID TECH:	8.52	11.37%
2. SONY:	18.50	10.51%
3. AOL:	46.13	8.75%
4. ECHOSTAR:	50.36	7.33%
5. YAHOO:	35.47	7.10%

THIS WEEK'S STOCK PRICE LOSERS

COMPANY	CLOSE	1-WK CH
1. CISCO:	21.54	(8.4%)
2. RENTRAK:	37.95	(6.3%)
3. VONAGE:	3.28	(5.48%)
4. MOTOROLA MOBILITY:	13.15	(3.73%)

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